

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ARMAND ANDREOZZI,

Petitioner,

v.

MANAGER, RESIDENTIAL REENTRY
MANAGEMENT SEATTLE,

Respondent.

CASE NO. 2:23-cv-01106-JNW-GJL

ORDER GRANTING
RESPONDENT'S MOTION TO
DISMISS AND SUBSTITUTING
RESPONDENT

This is a federal habeas action filed under 28 U.S.C. § 2241. Before the Court is Respondent Trinetta Thompkins' Motion to Dismiss for Lack of Personal Jurisdiction. Dkt. 12. In the Motion, Respondent Thompkins informs the Court that, because Petitioner Armand Andreozzi is serving out his sentence at the Pioneer Fellowship House in connection with the Seattle Residential Reentry Management ("RRM") field office, the Manager of the RRM field office in Seattle is the proper Respondent in this matter. *Id.* Upon review, the Court agrees the Manager of RRM Seattle is the proper Respondent and grants the Motion.

The proper respondent to a habeas petition is the "person who has custody over [the petitioner]." 28 U.S.C. § 2242; *see also* § 2243; *Brittingham v. United States*, 982 F.2d 378 (9th

1 Cir. 1992); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). At the time Petitioner filed his
2 Petition, he was being held at the Pioneer Fellowship House to serve out his federal sentence. *See*
3 Dkt. 12 at 2. Respondent Thompkins currently serves as the Interim Director of the Pioneer
4 Fellowship House. *See id.* at 3. However, as Respondent Thompkins indicates, Petitioner
5 remains in the legal custody of the Bureau of Prisons (“BOP”), and therefore the proper
6 respondent in such circumstances is the corresponding RRM manager within the BOP. *Id.* at 2.
7 As such, the Manager of RRM Seattle is the proper Respondent in this matter. *See Nekvasil v.*
8 *United States*, No. 1:22-cv-617, 2022 WL 4115428, at *2 (W.D. Mich. Sept. 9, 2022) (finding
9 the RRM Manager is the proper respondent for a habeas petition where petitioner is an inmate
10 supervised by that RRM office).

11 The Motion to Dismiss (Dkt. 12) is **GRANTED**. The Clerk is directed to substitute the
12 correct respondent—Manager, RRM Seattle—in this matter. Should there be a need to substitute
13 the correct respondent again in these proceedings, Respondent or the United States Attorney’s
14 Office (Seattle) shall file a Motion to Substitute Respondent.

15 Dated this 31st day of October, 2023.

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18 Grady J. Leupold
19 United States Magistrate Judge
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